

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)
)
 v.) CASE NO. 2:22-CR-255-WKW
)
RODRICKO QUAN DAVIS)

ORDER

On April 16, 2025, the United States Magistrate Judge entered a report and recommendation concerning the defendant's plea of guilty (Doc. # 123), to which the parties have both filed notices of having no objection to the recommendation (Docs. # 125 and 126).

Accordingly, it is ORDERED that the magistrate judge's recommendation (Doc. # 123) is adopted provisionally, subject to the court's review of the presentence report. Pending that review, the court accepts the defendant's plea of guilty as to count 1 of the indictment, and the defendant is adjudged guilty of this offense.

It is further ORDERED as follows:

1. Sentencing of the defendant is set on **July 24, 2025, at 10:30 a.m.**, in Courtroom 2B, the Frank M. Johnson, Jr. United States Courthouse, One Church Street, Montgomery, Alabama.
2. In accordance with Rule 32(f)(1), Federal Rules of Criminal Procedure, counsel for the defendant and the Government shall communicate in writing to the probation officer, and to each other, any objections they have as to any material information, sentencing classifications, sentencing guideline ranges, and policy statements contained in or omitted from the presentence report. The probation officer will notify parties of the objection deadline and will schedule a conference to discuss and resolve, if possible, any factual and legal issues contained in the presentence report.
3. Any motion for downward departure shall be filed **ON OR BEFORE THE CONFERENCE DATE** with the probation officer, unless based on unknown and unforeseen circumstances arising after that date, in which case the motion must be filed promptly upon discovery of such circumstances.

4. Counsel for the Defendant and the Government are to notify the Court **NO LATER THAN TWO WEEKS PRIOR TO THE SENTENCING DATE** if the hearing is anticipated to take more than one hour.

5. Government and defense motions shall be filed **NO LATER THAN 5 WORKING DAYS BEFORE SENTENCING**.

6. Sentencing Memoranda. Sentencing memoranda are not required; however, any party desiring to submit a sentencing memorandum shall file it, and any attachments, **NO LATER THAN 5 WORKING DAYS BEFORE SENTENCING**, with copies served on opposing counsel and the probation officer assigned to the case.

7. Sentencing Exhibits. Any paper exhibit that a party may offer at the sentencing hearing shall be filed electronically as a Notice of Filing Sentencing Exhibits. If the paper exhibit was filed as an attachment to a sentencing memorandum (see paragraph 6 above), the Notice should reference the attachment by the e-filed document number (*e.g.*, Doc. # 54-3), but the attachment itself need not be filed a second time. As to physical evidence that may be offered at the sentencing hearing, the offering party shall attach a photograph of the physical evidence to a Notice of Filing Sentencing Exhibits. Finally, any storage media (*e.g.*, CDs, DVDs) that may be offered at the sentencing hearing shall be filed conventionally, along with an electronically filed notice of conventional filing.

All exhibits referenced in this paragraph—paper, physical evidence, and storage media—shall be filed (in accordance with the procedures in the preceding paragraph) **NOT LESS THAN 5 WORKING DAYS BEFORE SENTENCING**) with copies served on opposing counsel and the probation officer assigned to the case.

8. The parties shall comply with Rule 49.1 of the Federal Rules of Criminal Procedure and refrain from including, or shall partially redact where inclusion is necessary, personal data identifiers from all filings with the court, including exhibits, whether filed electronically or in paper, unless otherwise ordered by the court. The responsibility for redacting these personal identifiers rests solely with counsel and the parties.

9. Introduction of Exhibits at Sentencing. Any of the above referenced exhibits that a party moves to introduce at sentencing shall be offered at the hearing, even if a copy of the exhibit previously was filed in accordance with paragraphs 6 and 7 of this Order.

10. Courtesy copies for the court: The filing party shall deliver to chambers not less than 5 working days before sentencing a courtesy copy of any sentencing memoranda and exhibits filed in accordance with paragraphs 6 and 7 of this Order (including a copy of any storage media).

The Clerk of the Court is DIRECTED to provide a court reporter. If the Defendant is in custody, the United States Marshal is DIRECTED to secure the Defendant's presence at the hearing.

Nothing contained in this Order shall be construed as impairing the rights of any party as established in the United States Constitution or laws of the United States.

DONE this 22nd day of April, 2025.

/s/ W. Keith Watkins

UNITED STATES DISTRICT JUDGE